

REMARKS

1. Posture of the case. Claims 1-20 were originally filed. Drawings 1-6 were originally submitted. The present Office action of February 4, 2008 is a first Office action.

2. Drawings

FIG. 2 stands objected to as failing to comply with 37 CFR 1.84(p)(4) on grounds that reference character "206" has been used to designate both a switch and a WAP gateway. FIG. 2 also stands objected to as failing to comply with 37 CFR 1.84(p)(5) because it does not include the following reference numbers mentioned in the description regarding system 200 and LUT 225. Applicant herein submits an amendment to the specification and a replacement sheet 1 to correct FIG. 2, in order to overcome the rejection, except that Applicant does not add LUT 225 to FIG. 2, since it is already depicted therein. See LUT 225 directly above Web Device 224 in original FIG. 2. In particular, Applicant amends the specification and FIG. 2 to label switch "205" instead of "206," and adds reference number 200 to FIG. 2.

3. Non Prior-Art Rejections

Claim 11 recites the limitations "the automated call manager" and "the polarity of web pages" and in lines 1 and 3, respectively. Claim 11 stands rejected under 35 U.S.C. 112, second paragraph, on grounds of insufficient antecedent basis for these limitations in the claim. Claims 12- 13 depend on claim 11 and stand rejected under the same basis. Applicant herein above submits amendments to claim 11 to overcome the rejection.

3. Prior Art Rejections

Claims 1-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 6,788,769 (Waites) in view of US 7,251,234 patent (Warmus). Applicant herein amends claims 1-11, 13, 14-16, 18 and 20, and submits new claim 21 to more clearly and particularly point out novel features of the invention in order to overcome the rejection and to recite the claimed invention in a manner making it clear the invention may be practiced by a single party, such as a web service provider. Applicant also herein cancels claims 12 and 17.

No new matter is submitted, since the original application provides support for the amendments. In particular, regarding the network address being for a return response device of the caller to which the web-information is to be returned to the caller, see original application page 7, lines 8-13 (cell phone 202 is return response device), page 7, line 31- page 8, line 12 (computer is return response device). Regarding the network address not being associated with the telephone by receiving a network protocol formatted request generated by the telephone nor by receiving a network protocol formatted return address generated by the telephone, see original application page 8, lines 10-12 (IPA device 540 generates network address for return response device) . Regarding receiving at least a portion of the network address appended to the dialing sequence after the phone connection is made, see original application page 5, lines 21-23 (meta information sent after connection is made) . Regarding receiving a telephone number for the caller's telephone during the phone call and looking up a network address for the return response device responsive to the received telephone number, see original application page 6, line 31 - page 7, line 7. Regarding the caller's return device being physically separate from the telephone, see, for example, FIG. 5, computer 503, which may be a desktop computer, original application page 8, lines 6-9. Regarding receiving the network address from an address generating device physically independent of the telephone and connected to the telephone and the caller's return device, so that the sending of the network address for the caller's return device to the network server enables the network server to forward the retrieved information to a device physically independent of the telephone. See original application FIG. 5 and page 7, line 31- page 8, line 12 (computer is return response device in one embodiment of the invention).

Waites teaches a first user calling a 800 number and entering a second user's phone number via the call in order to request access to a second user, which may include accessing a voice recording stored on a web site of the second user, for example. See Waites, col. 8, line 55- col. 9, line 60 (especially col. 9, lines 51-60).

Warmus teaches a first user's mobile phone 103 requesting a web page of a business by keying in a telephone number for the business and entering a special "send" button or entering the conventional "send" button twice, for example. See, for example, Warmus, col. 1, lines 55-67. In response, the phone 103 sends a network-protocol-type request to a gateway 120, which presumably includes a return network address for the phone 103. See, for example,

Warmus, col. 2, line 64 - page 3, line 5. Gateway 102 sends the request to a server 124, and server 124 looks up the network address for the web page responsive to the phone number sent by mobile phone 103. See, for example, Warmus, col. 3, lines 24-50.

In contrast to Waites and Warmus, amended claim 1 in the present application now recites that in the context of receiving “a phone call initiated . . . by a caller” where “the phone call includes a request for web-based information,” a network address is determined that designates “a return response device for the caller to which the web-information is to be returned to the caller” and “the network address is not associated with the telephone by receiving a network protocol formatted request generated by the telephone nor by receiving a network protocol formatted return address generated by the telephone.” This is not taught or suggested by Waites, Warmus, or their combination. In the prior art arrangement, a network address is associated with a telephone by receiving a network protocol formatted request generated by the telephone, which includes a network protocol formatted return address generated by the telephone. See, for example, Warmus, col. 2, line 64 - page 3, line 5 (phone 103 sends a network-protocol-type request to a gateway 120, which presumably includes a return network address for the phone 103).

Also, amended claim 4 of the present application recites “determining the network address of the return response device includes looking up a network address *for the return response device* responsive to the received telephone number” (emphasis added). This is not taught or suggested by Waites, Warmus, or their combination. For example, server 124 of Warmus looks up the network address *for the web page from which information is requested* responsive to the phone number sent by mobile phone 103. Warmus, col. 3, lines 24-50.

Also, amended claim 5 of the present application recites “the caller’s return device is physically separate from the telephone.” Neither Waites, Warmus, nor their combination teach or suggest an arrangement in which “a phone call initiated . . . by a caller” is received where “the phone call includes a request for web-based information,” where a network address is determined of “a return response device of the caller to which the web-information is to be returned to the caller,” and where “the caller’s return device is physically separate from the telephone,” as recited in amended claims 1 and 5 of the present application.

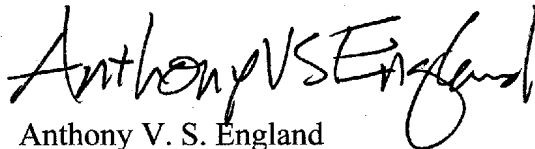
Also, amended claim 15 of the present application recites "enabling an IP address sending device connected to the caller's telephone to determine an IP address of a web-connected, return response device of the caller's, the return response device being physically separate from the caller's telephone." Neither Waites, Warmus, nor their combination teach or suggest this.

For at least these reasons, Applicant submits that claims 1, 4, 5 and 15 are allowable. Claim 8, 13 and 21 recite features corresponding to claims 1, 4 and 5, according to a system form of the claimed invention, and are allowable for the same reasons. Likewise, claims 2, 3, 6 and 7; 9-11 and 14; and 16 and 18-20 are allowable at least because they depend on allowable base claims.

REQUESTED ACTION

For the above reasons Applicant submits that the invention as claimed in accordance with amendments submitted herein is patentably distinct, and hereby requests that Examiner grant allowance and prompt passage of the application to issuance.

Respectfully submitted,



Anthony V. S. England
Attorney for Applicants
Registration No. 35,129
PO Box 5307
Austin, Texas 78763
512-477-7165
a@aengland.com

Attachments: sheet showing annotated changes to drawing FIG. 2 and replacement sheet showing amended drawing FIG. 2

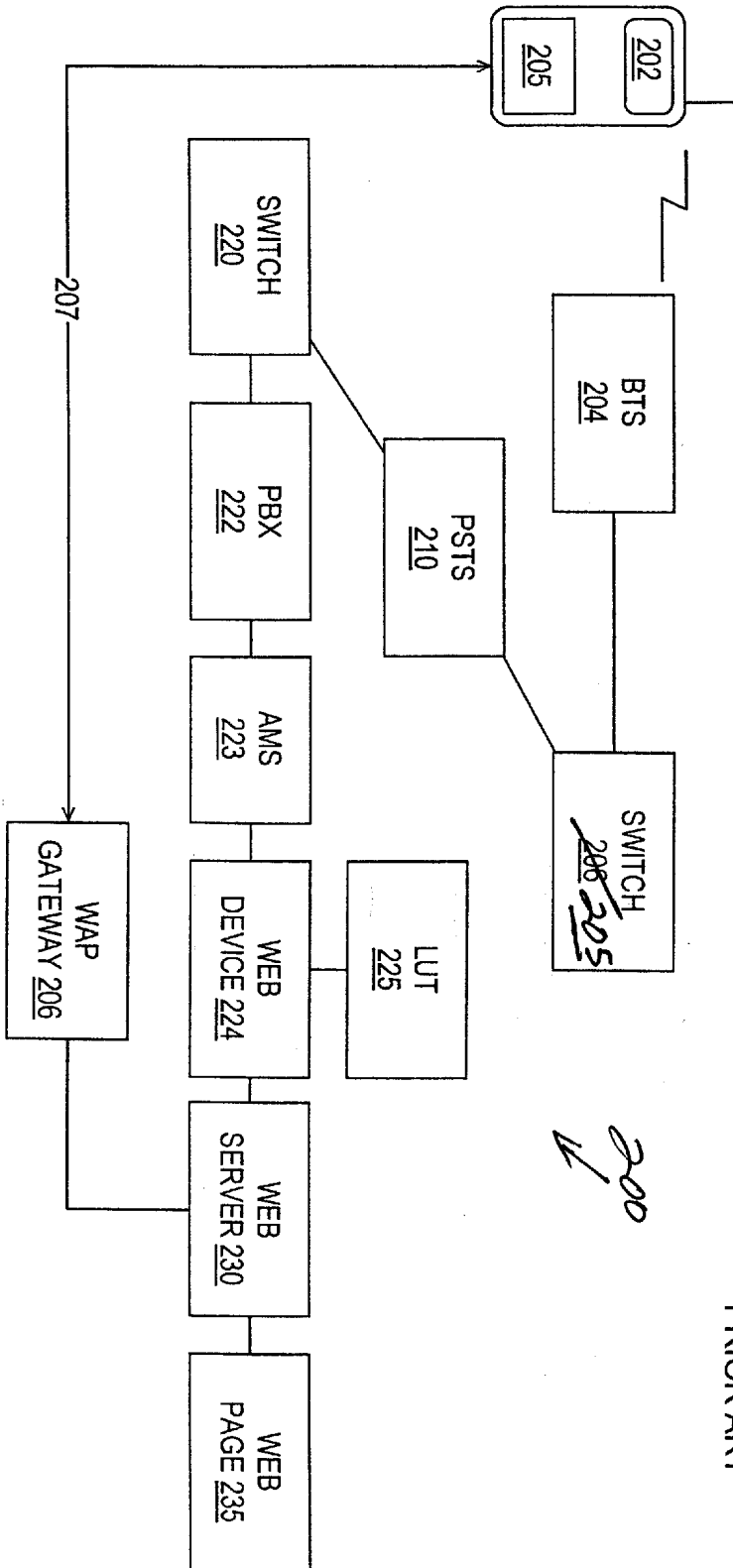
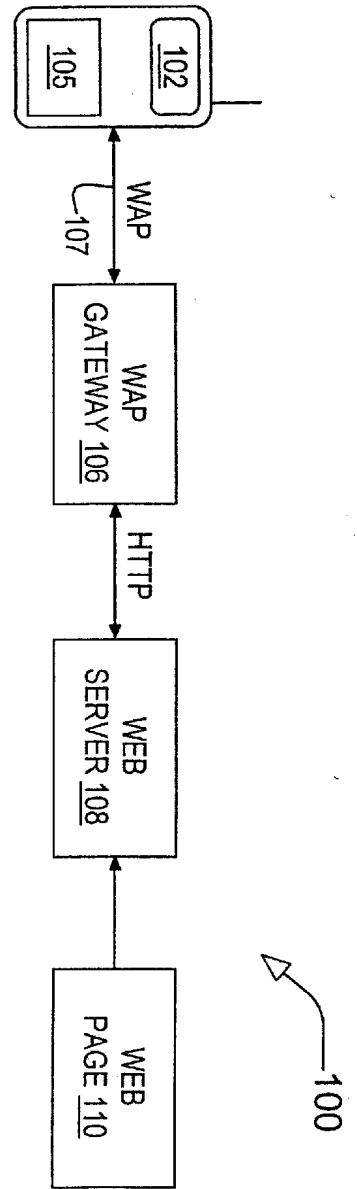


FIG 2